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United States Senate

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WASHINGTON, DC 20510-6275

BRUCE A. COHEN, *Chief Counsel and Staff Director*  
KOLAN L. DAVIS, *Republican Chief Counsel and Staff Director*

January 24, 2012

Kimberli Poppe-Smart  
Deputy Commissioner for Medicaid and Health Care Policy  
P.O. Box 110601  
Juneau, AK 99811-0601

Dear Ms. Poppe-Smart

In 2010, I requested data on prescription drugs from your state, but received no response. Specifically, I requested information regarding the top ten prescribers of several antipsychotic and pain management drugs which are frequently over-prescribed. Over-prescription of these types of drugs strains the financial viability of the Medicaid system and threatens the health and wellbeing of the American people.

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- Abilify;
- Geodon;
- Seroquel;
- Zyprexa;
- Risperdal;

- OxyContin;
- Roxicodone;
- Xanax.

In addition to providing charts for each drug, please provide answers to the following questions:

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9. Does your state have any programs in place to educate providers about the prescription of antipsychotics to children and adolescents?

Thank you in advance for your cooperation and attention in this matter. When responding to this letter, please number your answers in accordance with my questions. I would appreciate a response by February 14, 2012. If you have any questions, please do not hesitate to contact Erika Smith of my staff at (202) 224-5225.

Sincerely,



Charles E. Grassley  
Ranking Member  
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BRUCE A. COHEN, *Chief Counsel and Staff Director*  
KOLAN L. DAVIS, *Republican Chief Counsel and Staff Director*

January 24, 2012

Dr. Gregory N. Larkin, M.D., FAAFP  
Indiana State Department of Health  
P.O. Box 7125  
Indianapolis, IN 46206

Dear Commissioner Larkin,

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BRUCE A. COHEN, *Chief Counsel and Staff Director*  
KOLAN L. DAVIS, *Republican Chief Counsel and Staff Director*

**January 24, 2012**

**Bruce Greentstein**  
**Louisiana Department of Health and Hospitals**  
**P.O. Box 629**  
**Baton Rouge, LA 70821**

Dear Secretary Greenstein,

In 2010, I requested data on prescription drugs from your state, but received no response. Specifically, I requested information regarding the top ten prescribers of several antipsychotic and pain management drugs which are frequently over-prescribed. Over-prescription of these types of drugs strains the financial viability of the Medicaid system and threatens the health and wellbeing of the American people.

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BRUCE A. COHEN, *Chief Counsel and Staff Director*  
KOLAN L. DAVIS, *Republican Chief Counsel and Staff Director*

**January 24, 2012**

**Anna Whiting Sorrell**  
**Montana Department of Public Health and Human Services**  
**P.O. Box 4210**  
**Helena, MT 59620**

**Dear Director Whiting Sorrell,**

In 2010, I requested data on prescription drugs from your state, but received no response. Specifically, I requested information regarding the top ten prescribers of several antipsychotic and pain management drugs which are frequently over-prescribed. Over-prescription of these types of drugs strains the financial viability of the Medicaid system and threatens the health and wellbeing of the American people.

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BRUCE A. COHEN, *Chief Counsel and Staff Director*  
KOLAN L. DAVIS, *Republican Chief Counsel and Staff Director*

**January 24, 2012**

**Kerry Winterer  
Department of Health and Human Services  
301 Centennial Mall South  
Lincoln, NE 68509**

**Dear Mr. Winterer,**

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BRUCE A. COHEN, *Chief Counsel and Staff Director*  
KOLAN L. DAVIS, *Republican Chief Counsel and Staff Director*

**January 24, 2012**

**Nicholas A. Toumpas  
Department of Health and Human Services  
129 Pleasant Street  
Concord, NH 03301**

**Dear Commissioner Toumpas,**

In 2010, I requested data on prescription drugs from your state, but received no response. Specifically, I requested information regarding the top ten prescribers of several antipsychotic and pain management drugs which are frequently over-prescribed. Over-prescription of these types of drugs strains the financial viability of the Medicaid system and threatens the health and wellbeing of the American people.

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BRUCE A. COHEN, *Chief Counsel and Staff Director*  
KOLAN L. DAVIS, *Republican Chief Counsel and Staff Director*

January 24, 2012

Mary E. O'Dowd  
Department of Health and Senior Services  
Health and Agriculture Building  
P.O. Box 360  
Trenton, NJ 08625

Dear Commissioner O'Dowd,

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BRUCE A. COHEN, *Chief Counsel and Staff Director*  
KOLAN L. DAVIS, *Republican Chief Counsel and Staff Director*

**January 24, 2012**

**Doneen B. Hollingsworth  
South Dakota Department of Health  
600 East Capitol Avenue  
Pierre, SD 57501**

**Dear Secretary Hollingsworth**

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7. Does your state have any point-of-sale restrictions related to maximum units, prior authorization, therapeutic duplication, or early refill? If not, why not?
8. Were any of these top ten prescribers identified in the federal-mandated Drug Utilization Review or CMS-base retrospective reviews?
9. Does your state have any programs in place to educate providers about the prescription of antipsychotics to children and adolescents?

Thank you in advance for your cooperation and attention in this matter. When responding to this letter, please number your answers in accordance with my questions. I would appreciate a response by February 14, 2012. If you have any questions, please do not hesitate to contact Erika Smith of my staff at (202) 224-5225.

Sincerely,



**Charles E. Grassley**  
**Ranking Member**  
**Committee on the Judiciary**



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**United States Senate**

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

BRUCE A. COHEN, *Chief Counsel and Staff Director*  
KOLAN L. DAVIS, *Republican Chief Counsel and Staff Director*

**January 24, 2012**

**Dr. Michael J. Lewis**  
**Department of Health and Human Resources**  
**State Capitol Complex, Building Three, Room 206**  
**Charleston, WV 25305**

Dear Secretary Lewis,

In 2010, I requested data on prescription drugs from your state, but received no response. Specifically, I requested information regarding the top ten prescribers of several antipsychotic and pain management drugs which are frequently over-prescribed. Over-prescription of these types of drugs strains the financial viability of the Medicaid system and threatens the health and wellbeing of the American people.

Many states provided the data I requested, and the statistics were alarming. There were instances where single prescribers wrote tens of thousands of prescriptions per year. However, because your state did not provide this information, it is impossible to determine if these types of outliers exist within the Medicaid system in your state.

Each of the states should adequately monitor, investigate, and stop fraud and over-prescription of these types of drugs. Therefore, please provide charts that list the top ten Medicaid prescribers of the following drugs for the years 2010 and 2011. For each prescriber, please provide his/her prescriber identifier, the number of prescriptions written per drug per year, and the total amount billed to Medicaid per drug, separated for each year.

- Abilify;
- Geodon;
- Seroquel;
- Zyprexa;
- Risperdal;

- OxyContin;
- Roxicodone;
- Xanax.

In addition to providing charts for each drug, please provide answers to the following questions:

1. What action, if any, does your agency intend to take with respect to the prescribers identified?
2. Do you plan on cross-checking these prescribers for complaints or misconduct with the state medical board or the National Practitioner Data Bank? If not, why not?
3. Have any of the prescribers identified been referred to your state medical board?
4. Is there any system set up in your state to identify and monitor excessive prescription writing? If not, why not?
5. Have you received any training or guidance from the Centers for Medicare and Medicaid Studies to help identify potential issues with prescription drugs?
6. Does your state maintain a database of all prescribed controlled-substances? If so, what entities have access to it?
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BRUCE A. COHEN, *Chief Counsel and Staff Director*  
KOLAN L. DAVIS, *Republican Chief Counsel and Staff Director*

January 24, 2012

Dennis G. Smith  
Department of Health Services  
P.O. Box 7850  
Madison, WI 53707

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